

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

TEXAS PERFORMING CHINESE
ARTS ASSOCIATION,

Plaintiff,

v.

XIAOPING LIU,

Defendant.

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Civil Action No. 3:23-CV-2743-X-BN


ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE
JUDGE

The United States Magistrate Judge David Horan made findings, conclusions, and a recommendation in this case recommending remanding this action back down to state court for lack of subject-matter jurisdiction at the time of removal. (Doc. 5). After Magistrate Judge Horan made his recommendation, Defendant Xiaoping Liu filed a motion to convert to an original case. Liu’s motion resulted in an additional, supplemental recommendation (Doc. 7), which again, recommended remand back to state court for lack of subject-matter jurisdiction at the time of removal. After this supplemental recommendation, Liu—a defendant in this action—filed an “amended complaint,” seeking to invoke this Court’s jurisdiction. (Doc. 8). The Court will consider Liu’s filing, (Doc. 8) to be an objection to Judge Horan’s two recommendations, (Docs. 5, 7).

The District Court reviewed *de novo* those portions of the proposed findings,

conclusions, and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge. Accordingly, the Court **REMANDS** this action to the Dallas County state court from which it was removed.

IT IS SO ORDERED this 16th day of April, 2024.



BRANTLEY STARR
UNITED STATES DISTRICT JUDGE